

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Docket No: **A8689**

Rajeeva SINGH et al

Conf. No.: **3309**

Appln. No.: **10/729,441**

Group Art Unit: **1643**

Filed: **December 8, 2003**

Examiner: **Bradley, D.**

For: **ANTI-IGF-I RECEPTOR ANTIBODIES**

STATEMENT OF AVAILABILITY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, IMMUNOGEN INC. of 128 Sidney Street, Cambridge, Massachusetts 02139-4239,
declare and state that:

We are the Assignees of the entire right, title and interest of the invention described and
claimed in the above-identified application, as evidenced by the Assignment recorded on
May 4, 2006, at REEL 017861, FRAME 0081.

We agree that upon allowance and issuance of the above identified application into a
United States Patent, restriction on availability of the following deposit will be irrevocably
removed:

Murine Hybridoma cell line EM164

which is designated in the specification of the above-identified application and was
deposited under the terms of the Budapest Treaty at the American Type Culture Collection, P.O.
Box 1549, Manassas, VA 20108 under ATCC Deposit No. PTA-4457 on June 14, 2002.

Statement of Availability (A8689)
U.S. Application No. 10/729,441

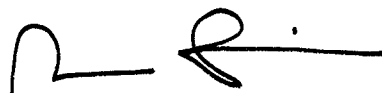
We agree that the above-identified hybridoma designated in the above identified application will be maintained for a period of 30 years or 5 years after the last request for the deposit or for the effective life of any patent which issues on the above identified application, whichever is longer;

We agree that if the deposit becomes non-viable, it will be replaced; and

We also assure access to the deposit to one determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Respectfully submitted,



William J. Simmons
Registration No. 59,887
On behalf of:
IMMUNOGEN, INC.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: March 18, 2008